

Citizen Initiated Complaints

NDCC 15.1-13-24 & NDAC 671.-01-01-02(4)

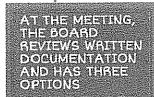
A citizen makes a complaint and completes a REQUEST FOR INQUIRY



The ESPB sends the form to the licensee, who has 20 days to respond.



When the response is received the citizen's complaint is put on the AGENDA of the next board meeting





REQUEST ADDITIONAL INFORMATION



INITIATE FORMAL DISCPLINARY PROCEEDINGS

Board Initiated Proceedings

NDCC 15.1-13-25 & NDAC 671.-01-01-02(3)



Board votes to initiate disciplinary proceedings

(NDCC Chap. 28-32 is triggered)



A COMPLAINT is filed and served on the licensee

Licensee has 20 days to file an ANSWER



There is a period of time for "Discovery," after which an ADMINISTRATIVE HEARING is held



The Administrative Law Judge issues recommended FINDINGS AND ORDER. The Board has three options:



Adopt the recommendations



Amend the recommendations



Issue its own findings



BOARD ISSUES A FINAL ORDER

Education Standards & Practices Board PROPOSED PROCEDURE The ESPB receives information, though any means, of potential conduct that may implicate NDCC 15.2-13-25 The ESPB/Gerives concedifor en/citizen The Board office follows up to see if the citizen Wishes to initiate a complaint The Board Feviews the information and has three options 10YES The Board can table a decision pending the outcome of trial The information provided informally by the citizen is presented to the Board Office asks citizen to complete a Request for inquiry form. When the completed form is received, the Board follows the Citizen Initiated Complaint process The Board vates not to initiate disciplinary proceeding The Board decides whether to initiate a Board complaint NO 7/45 The Board can vote to initiate disciplinary proceedings The Board votes not to initiate disciplinary proceedings The Board votes to bring an initial complaint and decides what information it requires from the licensee (Process follows that of Citizen Initiated Complaint beginning With Step 2)

ESPB 2718 Gateway Ave Suite 603 Dismarck, NO 58503-0585 www.nd.gov/espb